

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554**

**In the Matter of** )  
 )  
**Numbering Resource Optimization** ) **CC Docket No. 99-200**

**COMMENTS OF CINCINNATI BELL TELEPHONE COMPANY**

Cincinnati Bell Telephone Company (“CBT”), a mid-size, independent local exchange carrier submits these comments in response to several issues raised in the Petitions for Reconsideration of the Commission’s March 31, 2000 Report and Order in the above referenced proceeding. These comments address the following three issues: 1) the 45-day limit on reserved numbers; 2) the five-day limit on the amount of time a number with a pending service order can be counted as assigned; and 3) state commission access to NANPA data.

**I. 45-DAY LIMIT ON RESERVED NUMBERS IS TOO SHORT**

The inadequacy of the 45-day limit on reserved numbers has been questioned by numerous parties.<sup>1</sup> These parties cite the problems that this limit will cause for customers and carriers and also the fact that there is no evidence in the record to support a 45-day limit. CBT strongly concurs with the assessment provided in the PFRs.

As indicated in the PFRs, the record is replete with evidence of the negative impact the 45-day limit will have on customers, particularly business customers. CBT has numerous customers who could undoubtedly provide further testament to the problems and additional costs the limit will impose upon them, but the circumstances would be identical to those already submitted; therefore, CBT dispenses with submitting additional customer testimonials.

Regardless of whether the customer is a governmental entity, a university, a school district, a large financial institution, a manufacturer, an airport, etc., the problems this overly restrictive limit creates are the same. Large customers often request that a block of numbers be reserved for them so that they can institute a simple, logical numbering system. Having all numbers at the business served out of the same NXX simplifies both the internal and external communications needs of the business. In most instances, the large business will not need all of the numbers requested immediately, but desires to reserve some additional numbers to be placed in service upon completion of their facilities, or for additional growth. A 45-day limit on reserved numbers will make it nearly impossible for businesses to maintain any type of coherent numbering system. CBT urges the Commission to take heed of the widespread, negative impact of its decision in weighing the costs and benefits of a 45-day limit. A thorough cost/benefit analysis is certain to lead the Commission to conclude that a longer reservation period is warranted.

Most of the petitions that address the 45-day limit on reserved numbers focus on the impacts on business customers. Although numbers are reserved primarily by large business customers, and the costs and inconveniences the limit will impose on these customers will be significant, CBT urges the Commission not to overlook the cost and problems the limit will also impose on many small businesses and residential customers. Particularly, this limit will adversely impact seasonal businesses and residential customers with seasonal homes.<sup>2</sup> These customers count on being able to have the same phone number available from season to season. If customers can only reserve their number for 45 days after the end of the season, the number will become available for assignment to another customer before the next season. With

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<sup>1</sup> AT&T at pp. 6-8; BellSouth at pp. 5-11; Quest at pp. 5-13; Sprint at pp. 1-2; WorldCom, Inc. at p. 7.

<sup>2</sup> BellSouth at p. 9; Association for Telecommunications Professionals in Higher Education (ACUTA) at pp. 1-9.

sequential number assignment, thousands block pooling and application of utilization thresholds, it is extremely likely that the number will be assigned to another customer before the beginning of the next season. The costs and inconvenience the loss of their number will impose on these customers are unwarranted in light of the insignificant impact the return of these numbers to the available pool is likely to have on number conservation. Although these customers could avoid this situation by maintaining their service year round, this is an unnecessary cost to impose on customers if there is no evidence that the use of reserved numbers for seasonal purposes has not resulted in an unwarranted depletion of numbering resources due to abusive practices.

The 45-day limit is also problematic for residential customers in disaster situations. Just a few weeks ago CBT was contacted by a customer whose home was severely damaged by fire. She wanted to disconnect service at the damaged home while it was being rebuilt, but reserve the same number for reconnection when the restoration was complete. As with most such situations, it will take much longer than 45 days to rebuild the home. However, with a 45-day limit on reserved numbers, there will be no way that CBT can hold the number for this customer. Even though the monetary costs in this type of situation may not be significant, when someone's life has been devastated by a disaster, little things like being able to keep a telephone number become important to the customer. These non-monetary factors should also be considered in the Commission's analysis.

As several parties note in the PFRs, there is no evidence in the record that permitting longer reservation periods leads to abuse. Furthermore, the 45-day limit ultimately adopted in the Order was purely arbitrary.<sup>3</sup> Given the lack of evidence of abuse of reserved numbers, CBT

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<sup>3</sup> AT&T at p. 8, Quest at pp. 9-10, SBC at pp.2-3.

supports elimination of the limit. If not eliminated in its entirety, the limit should at least be amended to reflect the NANC NRO Working Group's recommendation for reserved numbers, which would permit reservations for up to 12 months with a six-month extension.

## **II. THE FIVE-DAY LIMIT ON PENDING SERVICE ORDERS SHOULD BE RECONSIDERED**

AT&T, the United States Telecom Association ("USTA") and Verizon each ask for reconsideration of the five-day limit during which numbers associated with pending service orders may be counted as assigned.<sup>4</sup> Although CBT believes that any of the solutions proposed by these parties would significantly alleviate the problems that the five-day limit imposes on carriers and customers, USTA offers the best solution. As USTA describes,<sup>5</sup> the five-day limit unnecessarily burdens carriers by causing them to modify their systems to move numbers from assigned-pending, to reserved and back to assigned when the service order is completed. Although in the majority of cases the combined 50 days (five days assigned-pending plus 45 days reserved) will provide adequate time to activate service, the five-day limit during which the number can be counted as assigned needlessly requires carriers to incur significant costs to change their operating systems for something that will do nothing to optimize the use of numbers. A cost/benefit analysis of this case would show significant costs and no benefit to carriers or customers, nor will it result in more efficient number utilization.

Allowing a number with an active service order in effect to remain in the assigned category until it is completed, as recommended by USTA,<sup>6</sup> will eliminate the need for carriers to undertake the costly system modifications inherent in the five-day pending limit. There is little

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<sup>4</sup> AT&T at pp. 9-10; USTA at pp. 2-11; Verizon at p. 4.

<sup>5</sup> See USTA at pp. 3-5.

<sup>6</sup> USTA at pp. 9-11.

danger in carriers using this period to hoard numbers because of the costs involved in initiating a service order. Once the service order is initiated, the customer and the carrier have committed to actions necessary to establish telephone service. Because of the costs incurred by both parties, neither party is likely to use the service order process to hoard numbers.

Although the 90-day limit recommended by AT&T will for the most part eliminate the movement of numbers from assigned-pending, to reserved, to assigned, it will not necessarily eliminate the need for carriers to modify their systems to allow for the occasional instances where the service order is not completed within 90 days. Therefore, CBT supports the USTA proposal<sup>7</sup> as the best way to correct the problem since it will minimize costs for all parties.

It is important to note that an extension of the reservation period as discussed in section I above does not eliminate the need for a change in the assigned-pending limit. Although an extension of the reservation period would make it less likely that customers would be adversely impacted by an unduly short pending limit (i.e., as long as customers can be assured that they can keep the number assigned when a service order was placed, they would not care if the carrier must move the number between categories in order to accomplish this), the costs to carriers of moving numbers from assigned-pending, to reserved and back to assigned would remain, regardless of the length of the reservation period.

### **III. STATE COMMISSIONS SHOULD HAVE ACCESS TO NANPA DATA**

The three state commission petitions each stress the need for the states to have access to the NANPA data.<sup>8</sup> CBT believes this is a reasonable request since the states are delegated various responsibilities under the Order. If the states cannot get timely access to the information

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<sup>7</sup> *Id.*

<sup>8</sup> California Public Utilities Commission and the People of the State of California (CPUC) at pp. 7-14; Maine Public Utilities Commission (MPUC) at pp. 11-12; and Public Utilities Commission of Ohio (PUCO) at pp. 5-13, 16.

they need to perform their duties, then the number optimization and conservation efforts the Order is designed to encourage may be hampered and carriers and their customers may be harmed. Area code relief may be delayed or carriers may not get numbers in a timely manner because of disputes between the state commissions and NANPA over access to data.

Although CBT fully supports state access to the NANPA data, CBT finds it unnecessary for the states to impose their own data reporting requirements directly on carriers. As the CPUC indicates, it is far more efficient for the states to have access to the NANPA data than for states to impose separate reporting requirements on carriers.<sup>9</sup> All of the information the states need to perform the numbering duties delegated to them is available via the NANPA. The costs imposed on carriers of having to comply with separate reporting requirements in each state cannot be justified given that all carriers must file comprehensive data for all jurisdictions with the NANPA. Although CBT does not support separate state reporting requirements, it would support a provision allowing a state commission to require carriers to file their number utilization and forecast reports simultaneously with NANPA and the state commission, as long as the state has appropriate confidentiality protections in place.

The state commission petitioners are also concerned that the NANPA is not providing them access to applications for initial and growth codes in a timely fashion.<sup>10</sup> CBT agrees that this information can be useful to state commissions in planning for area code relief and thousands block pooling and in exercising their authority over code reclamation. To eliminate any disputes between the state commissions and the NANPA over state access to this data, CBT supports the state commission petitions requesting that the NANPA notify them contemporaneously of all code requests.

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<sup>9</sup> CPUC at p. 14.

<sup>10</sup> MPUC at pp.12-13.

## IV. CONCLUSION

CBT strongly supports modification of the limits placed on reserved numbers and assigned numbers with service orders pending, as advocated by numerous parties in their petitions for reconsideration. CBT urges the Commission to expeditiously issue an Order on Reconsideration on these issues before customers and carriers are irreversibly harmed by the unduly short limits imposed by the Order.

Respectfully submitted,

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